

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 2-4 are requested to be cancelled.

Claims 1 and 6-8 are currently being amended.

Claims 9-14 are being added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1 and 5-14 are now pending in this application.

Allowable subject matter

Applicants appreciate the indication that claims 2-4, 7 and 8 contain allowable subject matter. Applicants have amended independent claim 1 to include the subject matter of claim 2, which has been cancelled, to specifically recite an intake valve which introduces “part of the air supplied to the cathode chamber to the anode effluent recirculation passage.” Thus, claim 1 now incorporates the allowable subject matter of claim 2 and is in *prima facie* allowable form. Dependent claims 5-8 ultimately depend from claim 1 and are thus likewise allowable. New claim 9 has been added and incorporates recitations of original claims 1 and 3, the latter of which has been cancelled. Thus, claim 9 incorporates the allowable subject matter of claim 3 and is in *prima facie* allowable form. Dependent claims 10 and 11 ultimately depend from claim 9 and are thus likewise allowable. New claim 12 has been added and incorporates subject matter of original claims 1 and 4. Claim 4 has also been cancelled. Thus, claim 12 incorporates the allowable subject matter of claim 4 and is in *prima facie* allowable form. Dependent claims 13 and 14 ultimately depend from claim 12 and are thus likewise allowable. Thus, all of the pending claims include subject matter indicated as allowable.

Rejection under 35 U.S.C. § 103

Claims 1, 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 05-129029 (hereafter “JP ‘029”) in view of U.S. Patent No. 6,063,515 to Epp et al. (hereafter “Epp”) and JP 11-116202 (hereafter “JP ‘202”). These rejections are moot in light of the amendments discussed, where all of the pending claims now include subject matter indicated as allowable.

Information Disclosure Statement

Applicants filed an information disclosure statement (IDS) on February 26, 2004 listing documents on an accompanying Form PTO/SB/08. Applicants respectfully request that any listed document on the Form PTO/SB/08 be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP § 609.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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